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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

FACEBOOK, INC., and MARK ZUCKERBERG, Plaintiffs, v. CONNECTU, INC. (formerly known as CONNECTU, LLC), PACIFIC NORTHWEST SOFTWARE, INC., WINSTON WILLIAMS, WAYNE CHANG, and DAVID GUCWA AND DOES 1-25, Defendants.	CASE NO. 5:07-CV-01389-RS **PLAINTIFFS' CIVIL L.R. 7-11 MISCELLANEOUS ADMINISTRATIVE REQUEST FOR ORDER SETTING CASE MANAGEMENT CONFERENCE OR ISSUING CASE MANAGEMENT ORDER**

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Pursuant to Civil L.R. 7-11, Plaintiffs Facebook, Inc. and Mark Zuckerberg hereby request that the Court set a Case Management Conference or *sua sponte* issue a Case Management Order as soon as possible. A [Proposed] Order is attached. Also attached is a Declaration of Theresa A. Sutton describing Plaintiffs' efforts to meet and confer concerning this Request.

This Court held the initial Case Management Conference on July 11, 2007. Dkt. No. 113. At that hearing, the Court indicated that, after the motions to dismiss were settled, it expected the case to move with some "dispatch" as it has been lingering for quite some time. 7/11/07 Hr'g Tr. 83:17-84:4. In addition, the Court indicated that it would, after deciding the then-pending Motion to Dismiss by Williams and PNS, set a dates in this matter. *Id.* 93:8-19. The Court reiterated this sentiment during the hearing held October 10, 2007 on Plaintiffs' Motion for Sanctions and Cameron Winklevoss', Tyler Winklevoss, and Divya Narendra's Motion to Dismiss.

In the Joint Case Management Statement, Defendants proposed that "once the Court rules on the last motion to dismiss, it hold a supplemental case management conference …". Dkt. No. 98 at 8 & 13, fn. 4. No further case management conference has been scheduled nor has a case management schedule been ordered. Now that all of the motions to dismiss, *e.g.,* Dkt. Nos. 124 and 232, have been resolved, a further case management conference or case management order is appropriate in this action, identifying a trial date and a date for discovery cut-off. Discovery has been ongoing in this case since long before the July 11, 2007, hearing, and therefore Plaintiffs request that a 2008 trial date be set.

Plaintiffs respectfully request, therefore, that the Court either set a further case management conference at its earliest convenience or issue a case management order setting discovery, ADR, and trial dates.

Dated: December 11, 2007

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/s/ Theresa A. Sutton /s/

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